IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 8TH FEBRUARY 2007 / 19TH MAGHA 1928

WP(C).No. 30029 of 2006(Y)

PETITIONER:

PRAVEEN GEORGE, AGED 21,
THEVARKUNNEL HOUSE, EDIVANNA, NOOLEPADAM,
NILAMBUR, MALAPPURAM DISTRICT.

BY ADV. SRI.K.S.MADHUSOODANAN
SRI.T.V.JAYAKUMAR NAMBOODIRI

RESPONDENTS:
---

1. STATE OF KERALA TO BE REP.BY SECRETARY,
HIGHER EDUCATION DEPARTMENT, GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM.

2. COMMISSIONER FOR ENTRANCE EXAMINATION,
THIRUVANANTHAPURAM.

3. PRINCIPAL, UNION CHRISTIAN COLLEGE,
ALUVA.

4. MAHATMA GANDHI UNIVERSITY,
KOTTAYAM, REP.BY REGISTRAR.

R1&2 BY GOVERNMENT PLEADER SMT.K.MEERA
R4 BY ADV. SRI.V.A.MUHAMMED, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: PHOTOCOPY OF THE SELECTION MEMO FOR MCA COURSE DT.3.11.06 ISSUED BY R2.

P2: PHOTOCOPY OF THE FEE RECEIPT DT.3.11.2006 FOR RS.38,500/-.

P3: PHOTOCOPY OF REJECTION ORDER DT.8.11.2006 ISSUED BY R3.

P4: PHOTOCOPY OF THE RECEIPT DT.8.11.2006 FOR CAUTION DEPOSIT OF RS.10,000/- AND APPLICATION FEE OF RS.250/- ISSUED BY R3.

TRUE COPY

P.S. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

.....

W.P.(C) No.30029 of 2006

.....

Dated this the 8th day of February, 2007.

JUDGMENT

The petitioner does not have the required minimum marks to join for MCA course as per University Regulations. However, petitioner was allowed to write the common entrance examination for admission for all Universities in Kerala which is justified by the Commissioner of Entrance Examination by stating in his affidavit that All India Council for Technical Education which is a statutory body recognising colleges running MCA course, has prescribed only a pass in the graduation for eligibility for admission to MCA. Necessarily the University Rule on minimum marks is to yield to the standard prescribed by the AICTE which petitioner has. In the circumstances, W.P. is allowed directing respondents to treat the admission given to the petitioner as proper.

C.N.RAMACHANDRAN NAIR
Judge

pms